

1643

 OPIE TRANSMITTAL FORM AUG 22 2005 <small>PATENT & TRADEMARK OFFICE</small>		Application Number: 09/974,546 Filing Date: October 10, 2001 First Named Inventor: GANG AN Art Unit: 1643 Examiner Name: Stephen L. Rawlings Total Number of Pages in this Submission : _____ Attorney Docket Number: UROC:018USD2																
ENCLOSURES (check all that apply)																		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts/Requirements <input type="checkbox"/> Declaration(s) _____ <input type="checkbox"/> Copy of Notice of Missing Parts/Requirements	<input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <table border="0" style="width: 100%;"> <tr> <td style="width: 15px;"><input type="checkbox"/></td> <td>Check in the amount of \$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: <u>50-1212/UROC:018USD2</u></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Sequence Statement</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Paper Copy of Sequence Listing</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Computer Readable Form (CRF)</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Postcard</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><u>Notice to Comply</u></td> </tr> <tr> <td><input type="checkbox"/></td> <td>_____</td> </tr> </table>	<input type="checkbox"/>	Check in the amount of \$ _____	<input checked="" type="checkbox"/>	Authorized to be charged to deposit account if check insufficient or inadvertently omitted Deposit account number: <u>50-1212/UROC:018USD2</u>	<input checked="" type="checkbox"/>	Sequence Statement	<input checked="" type="checkbox"/>	Paper Copy of Sequence Listing	<input checked="" type="checkbox"/>	Computer Readable Form (CRF)	<input checked="" type="checkbox"/>	Postcard	<input checked="" type="checkbox"/>	<u>Notice to Comply</u>	<input type="checkbox"/>	_____
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Remarks: _____																		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski, L.L.P.	Customer Number	32425
Signature			
Printed Name	Gina N. Shishima	Reg. No.	45,104
Date	August 19, 2005		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or Printed Name	Gina N. Shishima	Date	August 19, 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gang An et al.

Serial No.: 09/974,546

Filed: October 10, 2001

For: BIOMARKERS AND TARGETS FOR
DIAGNOSIS, PROGNOSIS AND
MANAGEMENT OF PROSTATE,
BREAST AND BLADDER CANCER

Group Art Unit: 1643

Examiner: Stephen L. Rawlings

Atty. Dkt. No.: UROC:018USD2

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS SEQUENCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

August 19, 2005

Date

Gina N. Shishima

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

MS SEQUENCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated July 19, 2005, there are enclosed herewith:

- (a) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);

(b) Computer Readable Form of Sequence Listing;

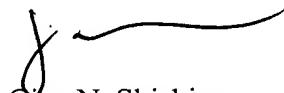
(c) Paper Copy of Sequence Listing;

(d) A copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; and

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/ UROC:018USD2.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Gina N. Shishima
Reg. No. 45,105
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: August 19, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,546	10/10/2001	Gang An	UROC:018USD2	8133

7590 07/19/2005
Gina N. Shishima
FULBRIGHT & JAWORSKI, L.L.P.
Ste. 1900
600 Congress Ave.
Austin, TX 78701



EXAMINER	
RAWLINGS, STEPHEN L	
ART UNIT	PAPER NUMBER
1643	

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

FULBRIGHT & JAWORSKI, LLP
IPT DOCKETING
Docketed No Req'd Confirmation
Initials 1st GS Initials 2nd AM

JUL 25 2005

Attorney DLP, GNS
Docket No. UROC:018USD2
Action Req'd Date Due

1 mo. response (w/ext.)
Initial deadline 8/19/05
Final 11/19/05.

FULBRIGHT & JAWORSKI LLP
AUSTIN, TEXAS

JUL 28 2005

RECEIVED



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

20050712

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (571) 272-0836. The examiner can normally be reached on Monday-Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, Ph.D. can be reached at (571) 272-0832. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

slr
July 12, 2005

SLR
STEPHEN RAWLING
ART UNIT 1643

Notice to Comply

Notice to Comply	Application No.	Applicant(s)
	09/974,546	AN ET AL.
	Examiner Stephen L. Rawlings, Ph.D.	Art Unit 1643

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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